

UNITED STATES DISTRICT COURT

NORTHERN

District of

NEW YORK

UNITED STATES OF AMERICA

ORDER AND AMENDED JUDGMENT
REGARDING MOTION FOR SENTENCE
REDUCTION PURSUANT TO 18 U.S.C.U.S. DISTRICT COURT
NEW YORK
FILED

V.

DEC 12 2008

CEDRIC JAMES

Case Number: 1:06-cr-283-001 (DNH)

LAWRENCE K. BAERMAN, Clerk
USDC

USM Number: 13663-052

Date of Previous Judgment: December 7, 2007

(Use Date of Last Amended Judgment if Applicable)

Pro Se

Defendant's Attorney

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _ months is reduced to months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 30

Amended Offense Level: ____

Criminal History Category: VI

Criminal History Category: _

Previous Guideline Range: 168 to 210 months

Amended Guideline Range: ____ to ____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Defendant's original sentence reflected the November 1, 2007 change set forth in crack Guideline Amendment 706, therefore he is not eligible for a reduction in sentence.

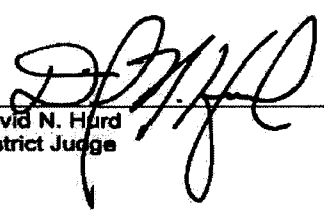
All provisions of the judgment dated December 7, 2007 shall remain in effect.

IT IS SO ORDERED.

December 12, 2008

Order Date

Effective Date (if different from order date)


 David N. Hurd
 District Judge